

GENERAL REMARKS:

Following a lengthy phone conversation on 01/11/2005 with the patent examiner regarding his legal interpretation for the USPTO office of the CFR and the MPEP laws as applied to the present applicant's original patent application and requested Amendment A of 07/28/2004, the patent examiner expressed his expert interpretation of what would be USPTO office allowable as a proposed Amendment A based upon my original patent application (frozen in USPTO OCR archiving) in terms of: 1). drawing amendments being restricted to obvious errors, 2). newly present applicant discovered prior art found after the original filing date of 04/19/2001 (with PPA dated 12/18/2000 and DDP dated 11/27/2000), with allowed prior art from the US patent issues and the relevant industry journal and magazine plus marketing brochure publications as itemized in an additional IDS plus submitted hardcopy (most prior art hardcopy was pre-submitted in the IDS submitted with the Amendment A dated 07/28/2004), plus 3). proposed claims amendment narrowing to compensate for the newly discovered prior art, the present inventor has elected to file a new 1st office action Amendment A/Response (US Express Mail dated 01/14/2005) of:

1). The present inventor in response to the patent examiner's original 1st office action inquiry elects not to pursue patent prosecution of the separate species depicted by the original drawing Fig. 5 ('disposable gravity oil bottle') and also the original drawing Fig. 6 ('disposable gravity spray bottle'), two separate

species in addition to the elected species depicted by the original drawing Fig.'s 1 - 4, which the present inventor wishes to retain as the elected species.

2). The present inventor in response to the USPTO legal examiner's two statements of non-responsive amendment A (07/25/04) due to a). insufficient fees paid for the requested new patent claims of the Amendment A dated 07/28/2004, b). improper lack of current claims status on each and every claim filed, c). improper lack of a full claims history filed with the Amendment A dated 07/28/2004, d). request for a 'clean-text' of a substitute specification with the Amendment A dated 07/28/2004 (to be filed before patent abandonment), the present applicant respectfully requests the patent examiner to preserve the default state inadmissibility of the Amendment A dated 07/28/2004, due to non-responsiveness of the Amendment A dated 07/28/2004, while the present applicant respectfully requests:

a). the present applicant elects to not pursue newly submitted amended claims letting them go into non-responsiveness status, thus making the additional claims fee un-necessary.

b). the present applicant elects to not pursue amended claims of Amendment A dated 07/28/2004, thus making a claim's status on every claim number un-necessary.

c). the present applicant submits newly submitted requested drawing Amendment A made to the original patent application's

drawing Figures 1 - 4 due to obvious mistakes of missing parts and miss-directed part lines made obvious by the original patent specification and original part numbers and descriptions (with informal corrected drawings in red ink newly submitted in requested drawing Amendment A with mark-up lines and part numbers):

d). the present applicant requests entry of a newly submitted supplemental IDS for newly present applicant discovered prior art, present applicant discovered after the filing date of 04/19/2001 (with PPA dated 12/18/2000 and DDP dated 11/27/2000), both in the prior art of highly structurally relevant, public domain, plastics injection molding 'N-cavity' injection molded plastic caps in industry jargon called: 'plastic closures,' 'plastics fittings,' and 'plastic fixtures,' used in hundreds of prior art, mechanisms for top dispensing, personal sized, plastic, soft squeeze bottles as documented in supplemental IDS itemized "Crown, Cork, and Seal Annual Report for 2000 [with product information]," IDS itemized "Crown, Cork, and Seal Annual Report for 2001 [with product information]," IDS itemized "Heinz Corporation Web Site [with a bottom dispensing ketchup bottle marketing development account]," plus additional present applicant newly discovered after patent filing date, prior art, IDS itemized highly relevant US patents on bottom dispensing bottles (which the present applicant wishes to 'swear behind' his present patent application).

e). the present applicant requests to allow the original patent application dated 04/19/2001, and the original patent application

claims 1 - 32 of the same date, to eventually go into abandonment following a final requested office action newly submitted Amendment A/Response dated 01/14/2005 to correct original drawing amendment corrections, plus supplemental IDS approval and acceptance.

f). the present applicant plans to elect after newly submitted Amendment A/Response dated 01/14/2005 final office actions, under MPEP 201.08 for a continuation in part (CIP) patent, a parallel present applicant's goal of filing a legally linked by MPEP 201.08, continuation in part (CIP) patent application which will introduce USPTO officially dated 'new material' legally linked to the separately original patent filing date and entirely legally separate material of the original patent specification, while retaining the original filing date only for the original specification's new technical material. The 'continuation in part (CIP)' under MPEP 201.08 will if USPTO office approved after filing, allow the present applicant to introduce USPTO officially dated desired 'new technical material' into the original patent application material, constituting added details of the prior art to original filing date of 04/19/2001, including wide-spread, prior art use for 'top-dispensing' personal sized, soft-squeeze plastic bottles, use of injection molded N-cavity parts called: 'plastic closures,' 'plastic fittings' or 'plastic fixtures' which give added detail to the original patent as originally intended by the present applicant.

DETAILED COMMENTS ON THE SPECIFICATION

1). The present applicant is newly submitting a new Amendment A/Response dated 01/14/2005, with submission of a supplemental Information Disclosure Statement (IDS) used to document prior art, additional US Patent Office patents concerning bottom dispensing, personal sized, soft squeeze plastic bottles. The present applicant will also submit additional itemized IDS items used to document prior public art, screw-on plastics caps used with popularly used, top dispensing, soft squeeze plastic bottles, called by industry trade jargon: 'plastic closure,' 'plastic fitting,' or 'plastic fixture' parts.

2). The legal examiner's request for a 'clean-text' substitute specification for Amendment A dated 07/28/2004 filed before patent abandonment will be respectfully ignored by present applicant election in order to deliberately allow the 'non-responsive' status to nullify this Amendment A dated 07/28/2004.

DETAILED COMMENTS ON THE CLAIMS

The present applicant plans to let the original claims eventually go into abandonment with the original patent, in order to avoid double patenting when filing a future planned parallel continuation in part (CIP) patent filing under MPEP 201.08. For this reason, the extra claims fee is not being paid as requested by the legal instruments examiner.

DETAILED COMMENTS ON THE DRAWINGS

The present applicant wishes to submit a newly submitted drawing Amendment A dated 01/14/2005 request for obvious corrections to the original drawing figures 1 - 4, due to obvious inconsistencies between the four drawings depicting missing relevant structural parts, missing part numbers, missing and miss-directed part lines, with corrections requested to be made to the original patent application's original drawings. The detailed drawing changes are as requested below as made informally in red-ink correction lines with newly submitted mark-up drawings for patent examiner approval:

1). The original drawing Fig. 1 had one missing structural juncture line of the bottom of the liquid chemical bottle body (106) and the top of the real bottle bottom with nozzle (108), which was also missing part number (108) and a missing part number identification line. The missing part number for the real bottle bottom with nozzle (108) as obvious in the Fig.'s 2, 3, and 4 where this structural part is clearly structurally identified, and is structurally placed in between the liquid chemical bottle body (106), and the false bottle bottom or stand (112), which is clearly falsely identified in structural part, requiring an identification line shortening for obvious correction as obvious from Fig's 2 - 4. The Fig.'s 2 - 4 show the real bottle bottom with nozzle (108) with a part identification line which is a little over-extended to an over-lapped structural part shared with the flip-off/flip-on nozzle

cap (110). The liquid chemical bottle body (106) part identification line is erroneously pointing at the "KETCHUP" label having two visible drawing lines which are not structural parts at all, with requested lowering of the part identification line to just below the label making the part (106) identification as a structural part much clearer.

2). The original drawing Fig. 2 had a mis-directed part number identification line, real bottle bottom with nozzle (108), which originally pointed to an obvious over-lap structure shared with the flip-off/flip-on nozzle cap (110), with a re-direction of this part identification line fixing the obvious correction. The liquid chemical bottle body (106) part identification line is erroneously pointing at the "KETCHUP" label having two visible drawing lines which are not structural parts at all, with requested lowering of the part identification line to just below the label making the part (106) identification as a structural part much clearer.

3). The original drawing Fig. 3 also had one missing structural juncture line to outline the juncture of the bottom of the liquid chemical bottle body (106) with the top of the real bottle bottom with nozzle (108). The real bottle bottom with nozzle (108) is a structural part which is structurally placed in between the liquid chemical bottle body (106), and the false bottle bottom or stand (112), and onto which is attached the flip-off/flip-on nozzle cap (110). Another critical structural juncture line is missing as clearly shown in Fig. 4, which outlines a small detent for the

'snap closure/un-snap opening' of the flip-off/flip-on nozzle cap (110) where it junctures with the real bottle bottom with nozzle (108). A misdirected part number identification line for the real bottle bottom with nozzle (108), which originally pointed to an obvious over-lap in structure with the flip-off/flip-on nozzle cap (110) producing some confusion, with a slight re-direction of this identification line being an obvious correction. The liquid chemical bottle body (106) part identification line is erroneously pointing at the "KETCHUP" label having two visible drawing lines which are not structural parts at all, with requested lowering of the relevant part identification line (106) to just below the label making the part (106) identification as a structural part much clearer.

4). The original drawing Fig. 4 had one missing structural juncture line to outline the juncture of the bottom of the liquid chemical bottle body (106) with the top of the real bottle bottom with nozzle (108). The real bottle bottom with nozzle (108) is a structural part which is structurally placed in between the liquid chemical bottle body (106), and the false bottle bottom or stand (112), and onto which is attached the flip-off/flip-on nozzle cap (110). A mis-directed part number identification line, real bottle bottom with nozzle (108), which pointed to an obvious over-lap in structure with the flip-off/flip-on nozzle cap (110), with a re-direction of this identification line (108) being an obvious correction. The false bottle bottom or stand (112) is present as in Fig's 1 - 3 , but, is obviously missing a part number (112) plus

a part number identification line. The liquid chemical bottle body (106) part identification line is erroneously pointing at the "KETCHUP" label having two visible drawing lines which are not structural parts at all, with requested lowering of the part identification line to just below the label making the part (106) identification as a structural part much clearer.

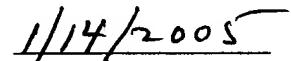
DETAILED COMMENTS ON THE ABSTRACT:

The original patent application's abstract was shortened to less than 150 words in order to be granted an initial filing date by the initial patent examiner's office.

Sincerely,



Kevin Kawakita



Date

KEVIN KAWAKITA

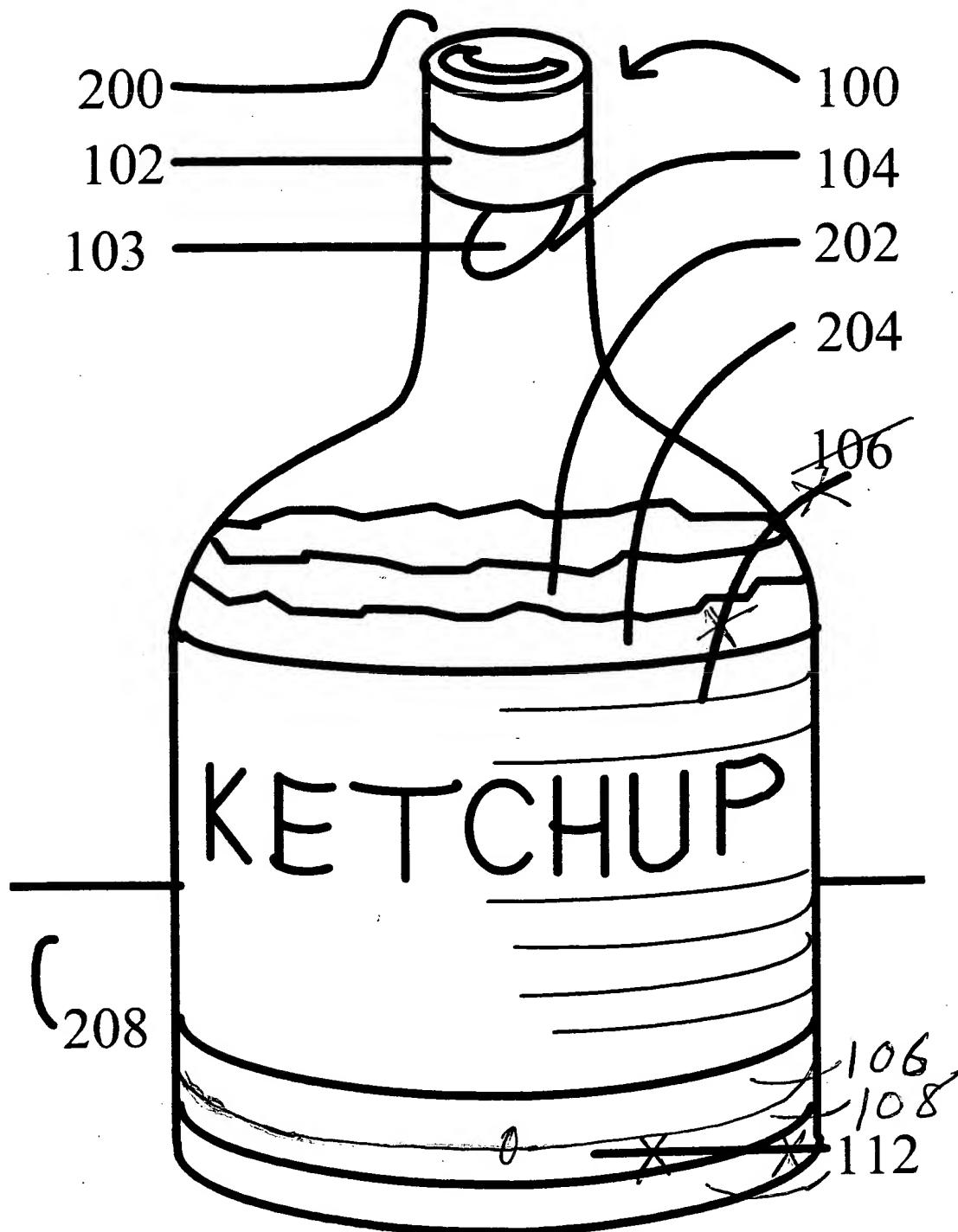
5812 TEMPLE CITY DR. #100
TEMPLE CITY, CA 91780
Mailing Address

EOF



GRAVITY FOOD LIQUID OVERAGE DISPENSER BOTTLE
VS PAT APP NO.: 09/837,314
FILING DATE: 4/19/2001
APPLICANT: KEVIN KA WAKITA
(kevinkwam777@msn.com)

FIG. 1





GRAVITY FEED LIQUID CONTAINER DISPENSER SYSTEM

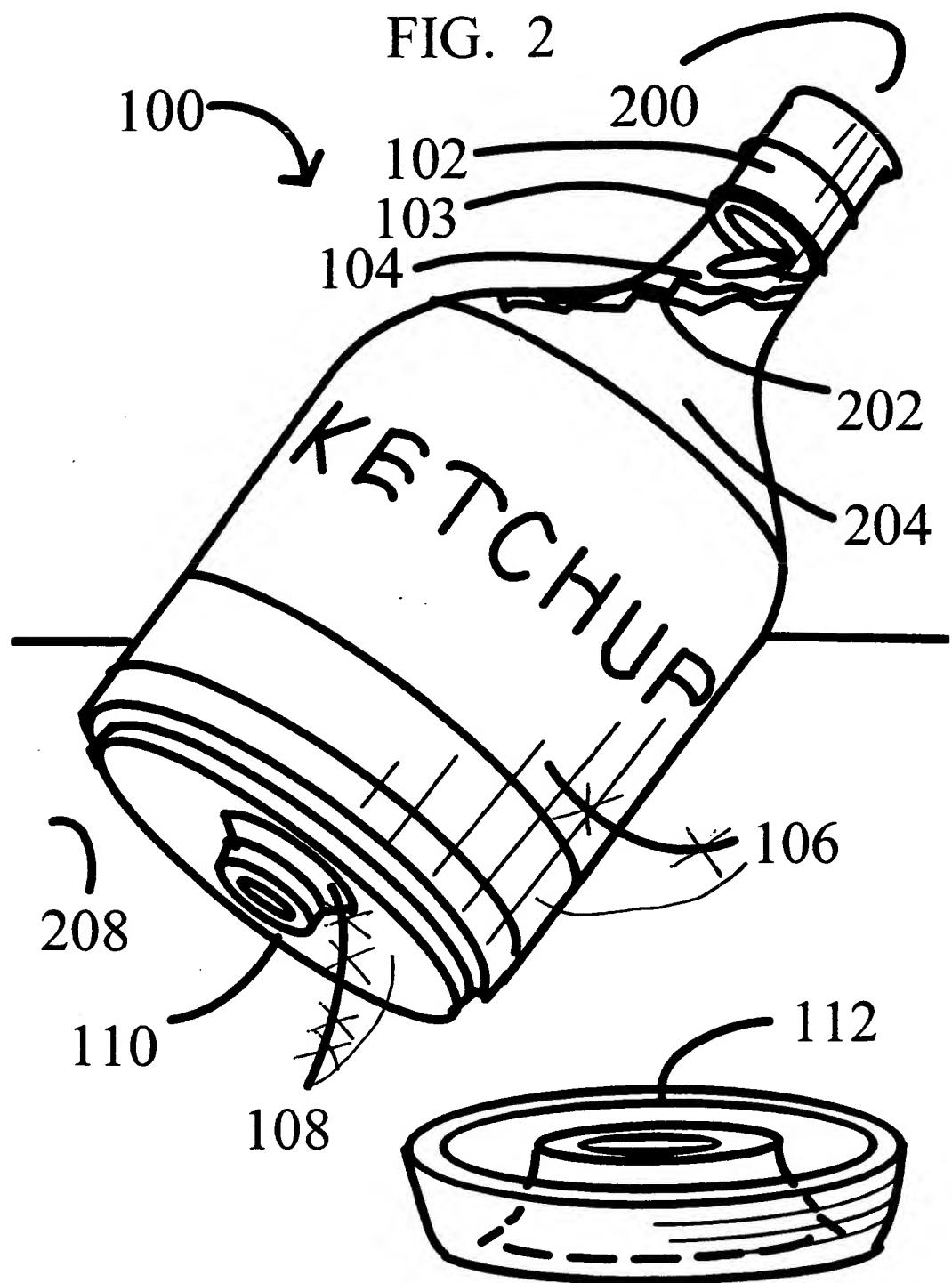
APP NO. 09/837,314

FILING DATE: 4/19/2001

APPLICANT:

KEVIN KAWAKITA
(kevinkawa777@msn.com)

FIG. 2



GRAVITY-FED
VS 48010 FRESH-UP APP NO. 09/837,314
09/837,314

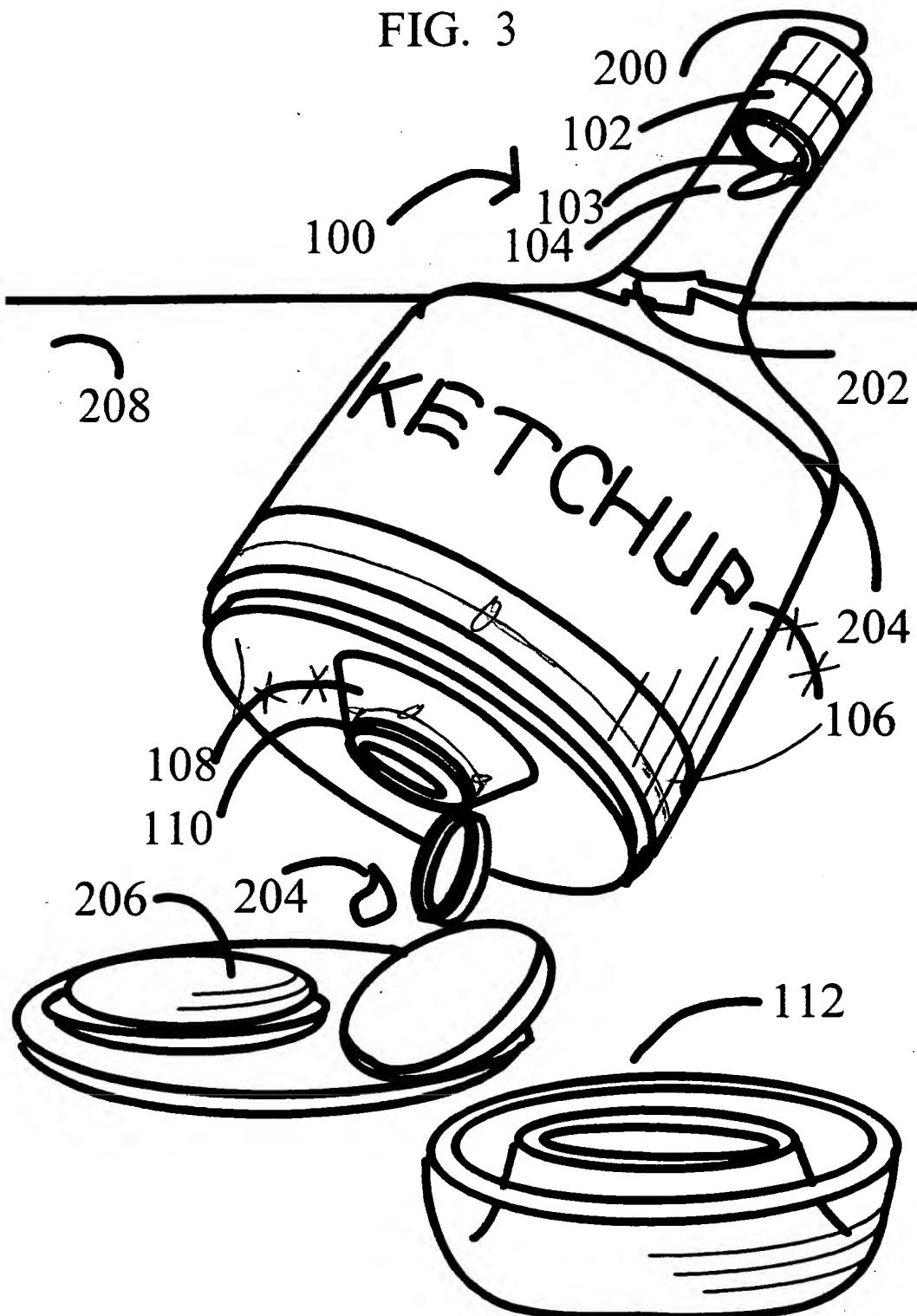
FILING DATE: 4/1/2001

APPLICANT:

KEVIN KAWAKITA
(kevinkawa777@msn.com)



FIG. 3





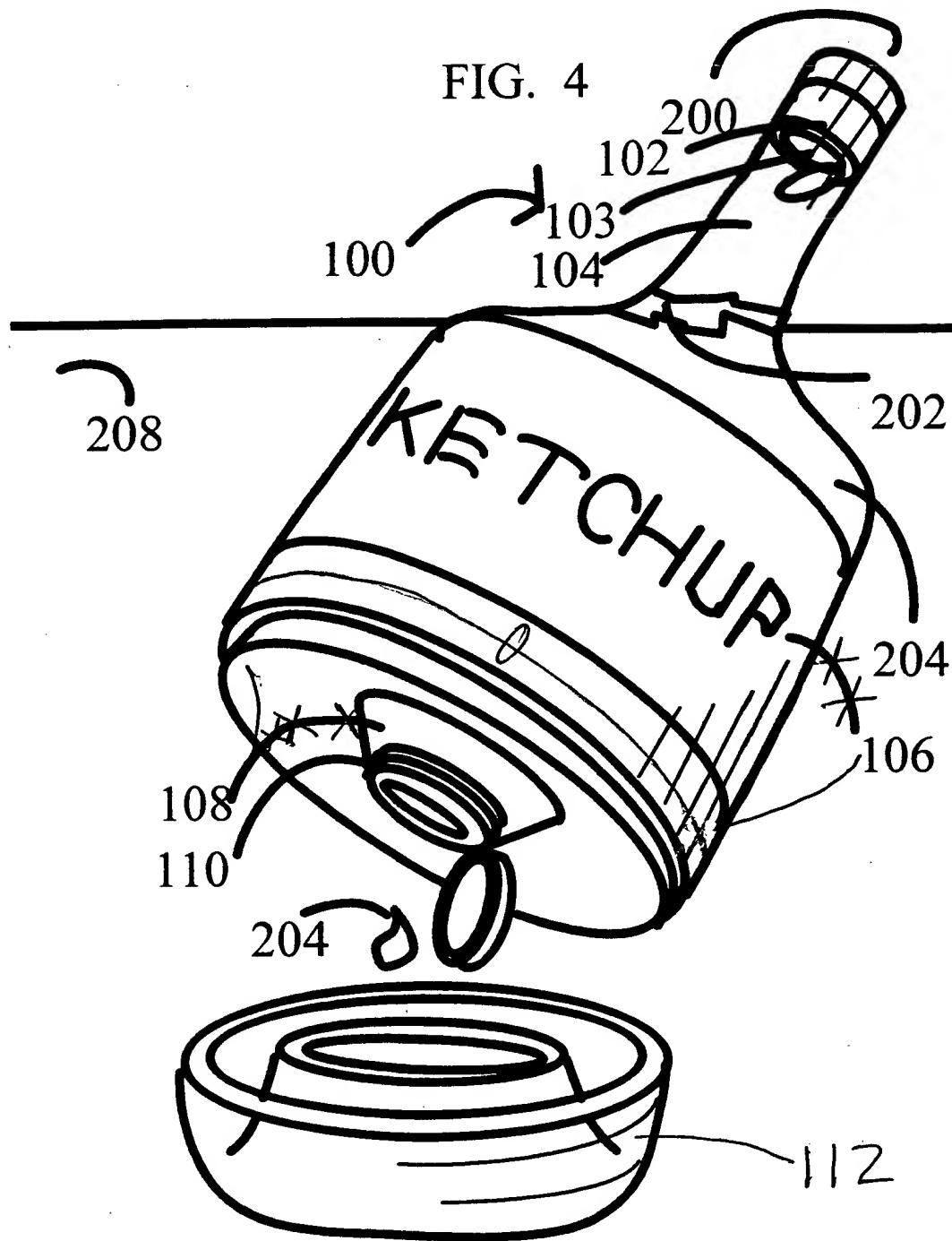
GRAVITY FLOW LIQUID CHEMICAL DISPENSER
VS PAT APP NO: 09/837,392

FILING DATE: 4/19/2001

APPLICANT:

KEVIN KAWAKITA
(kevin.kaw772@msn.com)

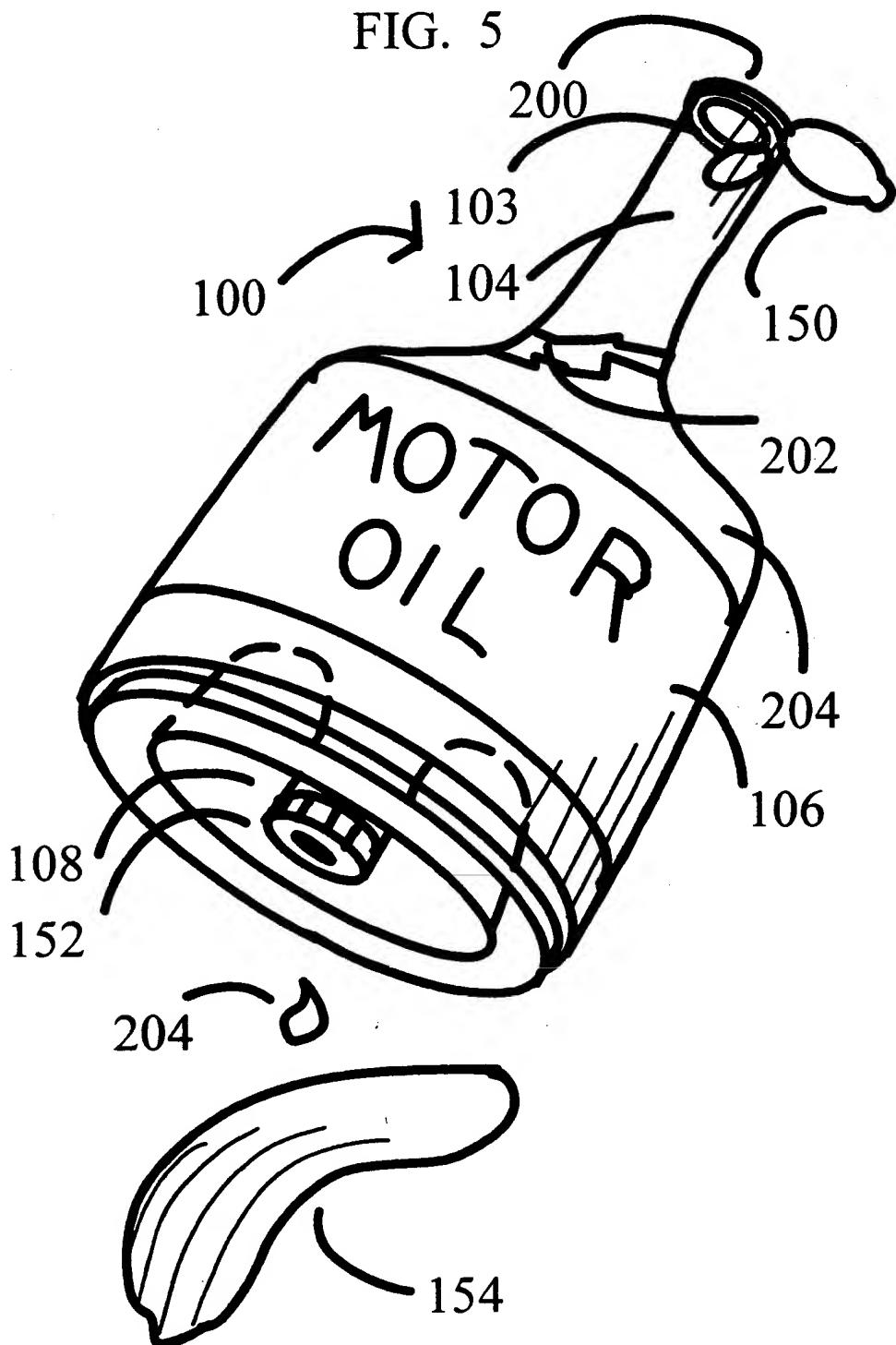
FIG. 4





GRAVITY-FED LIQUID CHEMICAL DISPENSER BOTTLE
VS PAT APP NO: 09/837,314
FILING DATE: 4/19/2001
APPLICANT: KEVIN KAWAKI PA
(kevinkawa777@msn.com)

FIG. 5

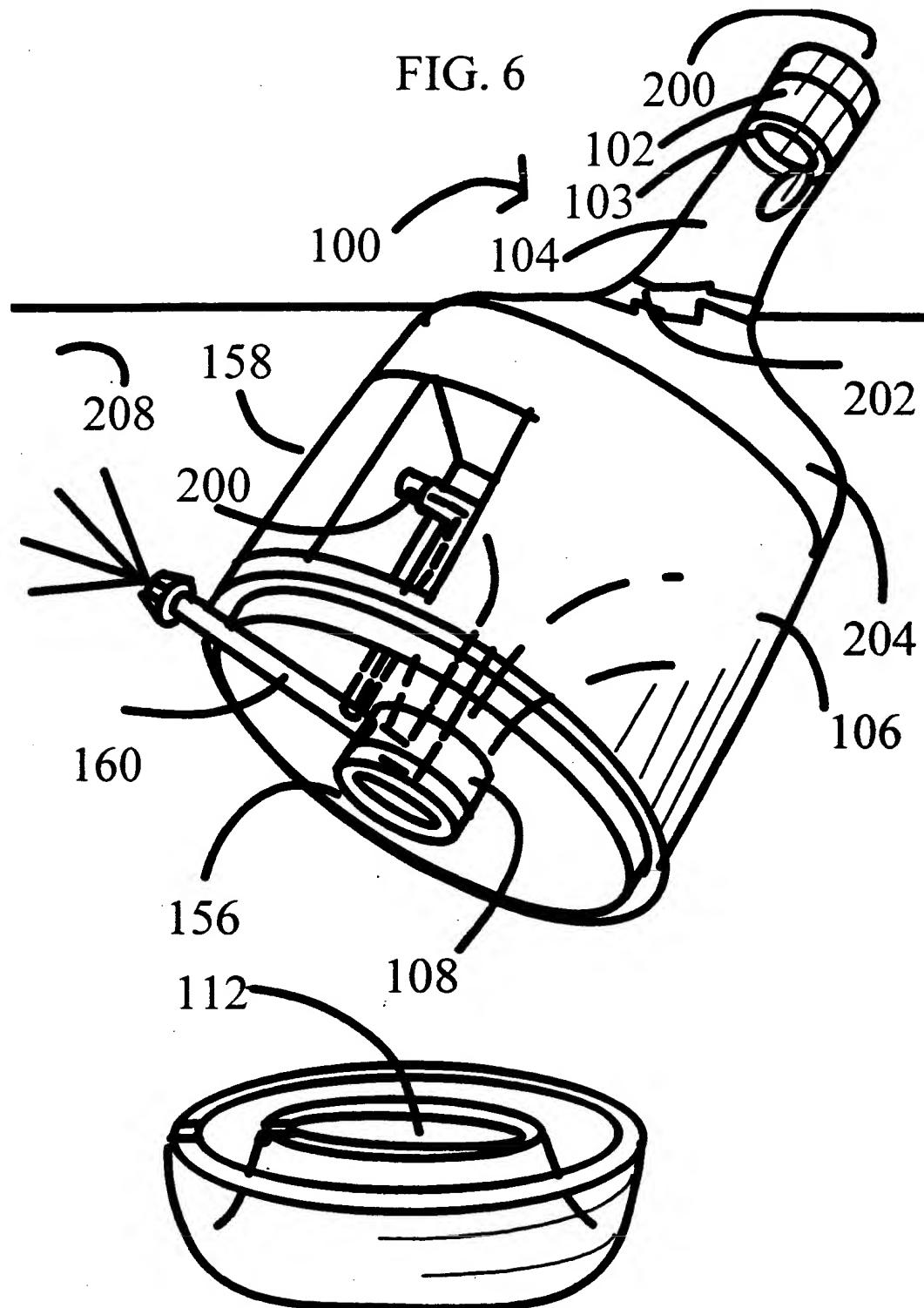


ABANDONED SPECIES



GRAVITY FED LIQUID CHROMATOGRAPHIC DISPENSING BOTTLE
US PAT APP NO: 09/837,314
FILING DATE: 4/19/2001
APPLICANT: KEVIN KAWAKITA
(Kevinkawa777@msn.com)

FIG. 6



ABANDONED SPECIES